United Nations CEDAW/C/ITA/Q/7

Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women
Sixty-seventh session
3-21 July 2017
Item 4 of the provisional agenda
Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

List of issues and questions in relation to the seventh periodic report of Italy

Constitutional, legislative and institutional framework

1. Please provide information on measures taken to ensure the effective and consistent application of the Convention by all national, regional and local authorities to achieve uniform results in its implementation throughout the State party's territory. Please also provide information on measures taken to implement the Committee's previous recommendations on awareness-raising on the Convention and the Optional Protocol thereto (CEDAW/C/ITA/CO/6, paras. 15 (b)-(d)). In particular, please indicate whether judges, public officers, lawyers and all other actors in the justice system are systematically trained on the Convention and the Optional Protocol.

2. Please provide information on any instances in which the Convention has been invoked, directly applied or referred to in court proceedings and indicate the number, nature and outcome of cases of discrimination against women. In particular, please provide information on the number of complaints submitted to the Councillor for Equality, as mentioned in the seventh periodic report of the State party (CEDAW/C/ITU/7, para. 21),[1] during the reporting period, their nature, the procedure used, such as mediation or legal action, and the outcomes.

Note: The present document is being circulated in English, French and Spanish only.

[1] Unless otherwise indicated, paragraph numbers refer to the seventh periodic report of the State party.

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National machinery for the advancement of women

3. Please provide information on the proportion of the national budget allocated to the national machinery for the advancement of women and on efforts to ensure that gender mainstreaming is consistently applied in the development and implementation of all laws, regulations and programmes in all ministries and decentralized government and legislative structures, including through effective monitoring and accountability mechanisms. In this context, please provide information on gender mainstreaming policies implemented through the European Social Fund and the European Regional Development Fund and a systematic collaboration with the regions (para. 7). Please indicate whether measures have been taken to introduce a gender budgeting approach. Please provide information about the progress made towards establishing an independent national human rights institution in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), with competencies on issues relating to gender equality and women's rights. In addition to the ad hoc mechanisms for dialogue and cooperation with civil society (para. 24), please indicate what steps have been taken to establish a permanent mechanism for such consultations.

Temporary special measures

4. Please provide information on efforts to familiarize all relevant officials with the concept of temporary special measures according to article 4 (1) of the Convention and the results obtained during the reporting period through such measures. Please also indicate how temporary special measures have been applied in areas other than participation in political and public life and what such measures are planned for the future.

Stereotypes and harmful practices

5. In accordance with the Committee's follow-up letter of 8 April 2014, please provide updated information on steps taken to address the priority concerns expressed by the Committee in its previous concluding observations (CEDAW/C/ITA/CO/6, para. 23) that the Committee considered either to not have been implemented or to have been implemented only partially or in regard to which it considered that it did not receive sufficient information. Please provide information on the specific initiatives to eliminate patriarchal stereotypes in the education system, including the revision of textbooks (para. 40), on the results of the work of the group of experts on language and gender (ibid.) and on the impact of measures taken to address stereotypical and sexist attitudes in the media and the advertising industry. Please indicate how Fertility Day is deemed compatible with efforts to combat gender stereotypes, given that it emphasizes fertility, thus presenting women exclusively as mothers and ignoring the socioeconomic obstacles to having children, such as unemployment, a lack of measures to reconcile family and professional activities and discrimination against women in the labour market. Please also indicate what measures have been taken to fully implement legislation prohibiting female genital mutilation among migrant women and provide data on the prosecution of perpetrators since 2012, as well as data on child marriage among migrant communities and Roma and Sinti girls.

Violence against women

6. In accordance with the Committee's follow-up letter of 8 April 2014, please provide updated information on steps taken to address the priority concerns expressed by the Committee in its previous concluding observations (CEDAW/C/ITA/CO/6, para. 27) that the Committee considered either to not have been implemented or to have been implemented only partially or in regard to which it considered that it did not receive sufficient information. Please indicate whether the State party plans to adopt a comprehensive law on violence against women. Please provide information on the results attained under the extraordinary action plan on sexual and gender-based violence approved in May 2015 (para. 47). Please indicate what measures have been taken to include in curricula, at all levels of the education system, a specific focus on the ideological and structural factors underpinning violence against women and on the consequences of gender-based violence and gender discrimination, as well as international norms promoting women's rights and countering violence against women. Please also indicate what measures have been taken to ensure sufficient and sustainable funding for shelters for women who are victims of violence and their operation according to international and national human rights standards. Please indicate whether measures have been taken to ensure that family mediation and shared custody are not applied in cases of violence against women.

7. Please provide information on the measures taken between 2011 and 2015 and on the national plan on violence against women adopted in 2015, including human, technical and financial resources allocated for their implementation and the mechanism for their coordination. Please indicate whether impact assessments have been carried out at the national, regional and municipal levels for the measures taken during the reporting period, their results and how those results influenced the national plan. Please also indicate the current status of its implementation. Please provide information on measures taken to ensure that migrant women in irregular situations who are victims of violence can turn to the judiciary and law enforcement agencies without fear of being reported to immigration authorities and deported. Please also provide statistical data on residence permits granted to victims of domestic violence under article 18 of Legislative Decree No. 286/1998 (national immigration legislation) (para. 63).

Trafficking and exploitation of prostitution

8. Please indicate whether the national action plan on trafficking in persons (para. 66) has been adopted and provide information on its content and the resources allocated for its implementation. Please also indicate whether the State party plans to establish a comprehensive and harmonized system for collecting statistical data. Please provide information on the measures taken to facilitate rapid and accurate identification of victims of all forms of trafficking in persons, including the allocation of resources for such measures. Please indicate what measures have been taken to ensure sufficient and sustainable funding for civil society organizations providing fundamental services for rehabilitating and reintegrating victims of trafficking throughout the State party.

9. Please provide information on any measures taken to protect female asylum seekers, in particular unaccompanied girls, from being trapped in or forced into

prostitution, and to provide victims with comprehensive support services. Please also provide information on programmes and strategies developed at the regional and municipal levels for preventing women from entering prostitution and for supporting, advising and encouraging those who wish to leave prostitution. In addition, please provide updated data on women engaged in prostitution. Please indicate whether measures have been taken to reduce the demand for prostitution.

Participation in political and public life

10. Please indicate whether the draft bill A.C.2613 aimed at overcoming the parliamentary perfect bicameralism was adopted and provide the final wording of the articles relating to gender balance (para. 82). Please provide information on the increase in the participation of women in elected assemblies and political offices at all levels following the adoption of the legislative measures listed in paragraph 29. Penalties for not meeting gender quota obligations by State-owned companies under Presidential Decree No. 251/2012 are described in paragraphs 30 and 31. Please provide statistical data on the penalties applied to date. Please indicate the results of the "Gender quotas" awareness-raising campaign (para. 34). Please provide data for 2015 on the representation of women in diplomacy, the police and senior management in the public sector and among legislators and senior officials (para. 85). Please provide updated statistical data on the participation of women in decision-making bodies since 2012, including information on the participation of women from an immigrant background.

Education

11. Please indicate whether the main reason why women's attainment of higher levels of education does not translate into their improved chances of employment (paras. 93-94) is due to stereotyped choices at the secondary and tertiary levels of education. If it is, please indicate what measures have been taken to address this. Please provide information on the results achieved through the measures to eliminate gender stereotypes in school materials, programmes and teaching, including with regard to combating tolerance of gender-based violence (para. 40). Please indicate whether age-appropriate education on sexual and reproductive health and rights and responsible sexual behaviour is available in every school at all levels of education or if each school decides whether to provide it. Please indicate whether the drop-out rate of Roma girls has decreased following the measures described in paragraphs 98 and 99 and provide statistical data on this phenomenon.

Employment and economic empowerment

12. Please provide statistical data on the sanctions applied to date under Act No. 92/2012 on provisions on the reform of the labour market to combat so-called "blank resignations" (para. 102). Please provide information on the rationalization of gender equality-related bodies and positive action procedures within the labour sector as envisaged under Legislative Decree No. 80/2015 (para. 104). Please provide comparative statistical data on parental leave, following the measures described in paragraphs 103 and 105. Please provide updated information on progress made in increasing the number of children in formal childcare since the submission of the report (para. 109) and on the results of the monitoring of Act

No. 92/2012 and subsequent measures taken on the basis of those results (para. 129).

13. Please indicate what results have been achieved by supporting women-led start-ups and new investments and helping women when encountering difficulties conducting business (para. 131) and through the "Women mean business and economic growth" project (para. 33). It is indicated that the gap between men and women recipients of earned income has remained large and stable since 2008 (para. 137), notwithstanding various measures taken. Please indicate how the State party envisages changing this situation. Please provide information on steps taken towards developing and applying job evaluation systems on the basis of gender-sensitive criteria and collecting sex-disaggregated data on the type and extent of wage differentials.

14. Please provide information on policy measures, including temporary special measures, taken to better integrate immigrant women and women with disabilities into the labour market. Please provide information on the employment rate for women with disabilities. Please indicate what measures have been taken to ensure that women are not disproportionally affected by the economic difficulties in the State party. In view of the huge difference in the amount of pensions (annex, table II), please indicate what measures are being taken to ensure the social protection of unemployed women, women having interruptions in their careers and women working part-time and/or receiving low salaries.

Health

15. It is indicated that, in the south of the State party, fewer than 50 per cent of women in the targeted age category, compared with almost 90 per cent in the centre-north, participate in mammography-screening programmes (para. 142). Please provide information on measures taken to bring the participation rate in the south to the same level as that in the centre-north. Please provide statistical data on HIV infection rates among women, disaggregated by age and indicate whether resources for the prevention of infection among women have increased over time. Please also provide information on measures taken to ensure the provision of gender-sensitive health services and preventive health care for women affected by HIV/AIDS in prisons and on preventive measures and specialized health-care services and treatment for immigrant women living with HIV/AIDS.

16. Please indicate whether there has been a move towards the privatization of health-care services and, if there has, whether any measures have been taken to ensure that this does not result in a decrease in prevention and care services, including family planning counselling, especially for women in vulnerable situations. Please also provide information on funding allocated to guarantee universal access to health services throughout the State party and the essential level of assistance.

17. It is indicated that abortion is practised at 64 per cent of the available facilities throughout the country, with good coverage, except the two smallest regions (para. 145). The Committee received information that a large number of doctors refuse to perform abortions on the grounds of "conscience", on average 60 per cent and, in some parts of the State party, especially in the south, up to 93 per cent. In the light of this, please provide information on measures taken to ensure that all

women have access to abortion services and that doctors or hospitals practising conscientious objection are obliged to promptly provide information on where abortion services can be obtained so that the practice of conscientious objection does not result in delaying access to abortion services beyond the time for legal abortion. Please indicate whether a regulatory framework for and a monitoring mechanism of the practice of conscientious objection by health professionals exists and what measures have been taken to ensure that conscientious objection remains a personal decision rather than an institutionalized practice. Please indicate the extent to which new contraception methods are included in the coverage of the national health insurance and whether emergency contraception is available without prescription.

Disadvantaged groups of women

18. Please provide data on the economic and social situation of rural women, including migrant rural women, and information about their access to social and health services, free legal aid for rural women who are victims of discrimination and any special measures adopted to ensure that rural women participate in the development of policies that affect them. Please provide information on the results of studies conducted on discrimination against Roma, immigrant, refugee, asylum-seeking and older women, as well as statistical data on their employment, education, health situation and all forms of violence that they may experience and measures taken on the basis of these results and data.

19. Please indicate whether sexual and reproductive health services and information, including emergency contraception or abortion services, maternal health care, prenatal care and psychological support and counselling, are proactively offered to and provided for asylum-seeking women immediately upon arrival, by female doctors when requested. Please provide information on measures taken to ensure that asylum-seeking survivors of rape who arrive in the State party in their third or fourth month of pregnancy are not prohibited or prevented from undergoing abortion.

20. Please indicate measures taken to ensure that refugee claimants and migrants in irregular situations, especially women and girls, are detained only as a measure of last resort and for a reasonable period. Please also provide updated statistical data, disaggregated by sex and geographical location, on refugees and asylum seekers, the number of facilities available to them and the quality of those facilities, as well as information on asylum claims based on gender-related persecution. Please also supply information on whether training and guidelines are provided to law enforcement officials and border guards on how to deal with gender-related persecution and provide protection to refugee and asylum-seeking women and girls.

21. Please indicate whether measures, including temporary special measures, are contemplated to develop and implement programmes for women and girls with disabilities, including migrant and refugee women and girls with disabilities, to eliminate discrimination in all areas of life. Please indicate whether any steps have been taken to adopt a comprehensive and effective strategy, with adequate funding, to ensure that women and girls with disabilities are effectively protected against violence in all public and private settings. Please also provide information on measures taken to systematically collect data and statistics on the situation of

women and girls with disabilities, with indicators to assess intersecting discrimination.

Marriage and family relations

22. Please indicate whether is the State party envisages amending the national legislation to adequately redress the economic disparities between spouses resulting from the existing sex segregation of the labour market and women's greater share in unpaid work and their impact on women's pensions in case of divorce by compensating for the loss of future pensions of women who stayed at home to care for the family.